

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

United States of America,)	
)	
v.)	
)	8:11-cr-2356-JMC-4
Kahuntas Chapman)	
)	OPINION AND ORDER
Movant.)	

A document entitled “FRCIVP 60(b): Constitution Violations; Mis-Application of Statute 21 USC 802(44); Ineffective Assistance of Counse; Actual Innocence; Counterclaim” has been submitted to the court for consideration. Upon review, the court interprets Movant’s motion as a request for the court to vacate, set aside, or correct his sentence. Movant is hereby informed that the court will treat his motion as a motion for relief under 28 U.S. C. § 2255. The Clerk of Court may file the pleading as of the date it was received for docketing, however, this action is not “in proper form.”

The Administrative Office of the United States Courts has provided approved forms for filing motions to vacate under 28 U.S.C. § 2255. The correct form for a motion under 28 U.S.C. § 2255 is AO form 243. The Clerk of Court is directed to provide Movant with the proper forms for filing the motion, and if Movant wishes to proceed with this action, he is directed to submit an amended motion on the court-approved form for filing a § 2255 motion.

Movant is given 20 days from the date of this order to submit his/her motion in proper form. If Movant fails to provide to the Clerk of Court a motion on the proper forms within the period prescribed in this order, the Office of the Clerk of Court shall forward the file in the above-captioned case to the United States District Judge assigned to this case for a final order.

IT IS SO ORDERED.

J. Michelle Childs

United States District Judge

April 15, 2014
Greenville, South Carolina